

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<b>UNITED STATES OF AMERICA</b>	)	<b>CRIMINAL NO. 04-10343-NG</b>
	)	
<b>v.</b>	)	
	)	
<b>HECTOR OQUENDO</b>	)	
	)	

**MOTION FOR A PRE-PLEA PRESENTENCE REPORT**  
*(Assented to)*

Now comes the defendant, HECTOR OQUENDO, and moves this Honorable Court to order a Pre-Plea Presentence Report be prepared by the Probation Department.

As grounds for this request, defense counsel states that a Pre-Plea Presentence Report is necessary as it appears that the length of defendant's pre-trial detention is approaching the length of his possible guideline sentence<sup>1</sup>. It is therefore in the interest of justice to accelerate the proceedings to ensure that Mr. Oquendo is not detained any longer than absolutely necessary.

The government joins with this request.

Respectfully submitted,  
**HECTOR OQUENDO**  
By his attorney,

/s George F. Gormley  
Christie M. Charles (BBO# 646995)  
George F. Gormley (BBO# 204140)  
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**Dated:** August 10, 2005

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<sup>1</sup> Defendant has been detained since December 9, 2004 (9 months). According to the Government's calculation, defendant's GSR is 10-16 months. Defendant has reserved the right to argue that his offense level – based on the amount of loss involved – is lower than the Government's calculation; therefore, it is defendant's position that his GSR is as low as 0-6 months.